IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1205 OF 2006
IN
CRIMINAL APPEAL NO.1144 OF 2006

Santosh Krishna Bangera ...Applicant

Versus

The State of Maharashtra ...Respondent

Shri M.A.Ingale for the Applicant.
Shri D.P.Adsule, A.P.P for the Respondent.

CORAM : A. S. OKA, J.
DATE : DECEMBER 15, 2006.

P.C.:

1. Heard the Advocate for the Applicant and the learned A.P.P for the State. The conviction of the Applicant is for the offence punishable under section 376 read with section 511 as well as section 354 of the Indian Penal Code. The Applicant was on bail throughout the trial and even after the conviction, the Trial Court protected the Applicant under sub-section 3 of section 389 of the Code of Criminal Procedure, 1973.

2. Age of the Applicant is stated to be 19 years. The maximum substantive sentence is rigorous imprisonment for three years. The Appeal is not likely to be heard before the period of sentence is over.

Moreover, the Applicant was on bail throughout the trial. Young age is also a factor to be considered in favour of the Applicant. Considering the nature of the allegation against the Applicant, stringent conditions will have to be imposed.

3. Application is disposed of by passing following order:

(i) The Applicant shall be enlarged on the same bail on which he was enlarged during the pendency of the trial subject to filing fresh bail bonds.

(ii) Bail is granted subject to condition that the Applicant will not enter area falling within the jurisdiction of Dindoshi Police Station, Mumbai till the disposal of the Appeal.

(iii) Bail is granted subject to condition that the Applicant will report to Dadar Police Station, Mumbai on first and third Saturday of every calendar month till the disposal of the Appeal.

JUDGE